

MAIN OCT 28 2002

ORDINANCE NO. 2002 - 046

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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS
OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989
COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO.
89-17, AS AMENDED; AMENDING THE MAP SERIES,
THOROUGHFARE RIGHT-OF-WAY IDENTIFICATION MAP AND
YEAR 2020 ROADWAY SYSTEM BY NUMBER OF LANES MAP
(TO MODIFY SEGMENTS OF ROOSEVELT AVENUE AND US
HIGHWAY 98); AND AMENDING ALL ELEMENTS AS
NECESSARY; PROVIDING FOR REPEAL OF LAWS IN
CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING
FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND
PROVIDING FOR AN EFFECTIVE DATE

15 **WHEREAS**, on August 31, 1989, the Palm Beach County Board of
16 County Commissioners adopted the 1989 Comprehensive Plan by Ordinance
17 No. 89-17; and

18 **WHEREAS**, the Palm Beach County Board of County Commissioners
19 amends the 1989 Comprehensive Plan as provided by Chapter 163, Part
20 II, Florida Statutes; and

21 **WHEREAS**, the Palm Beach County Board of County Commissioners have
22 initiated amendments to several elements of the Comprehensive Plan in
23 order to promote the health, safety and welfare of the public of Palm
24 Beach County; and

25 **WHEREAS**, the Palm Beach County Local Planning Agency conducted
26 its public hearings on February 22, March 1, and March 8, 2002 to
27 review the proposed amendments to the Palm Beach County Comprehensive
28 Plan and made recommendations regarding the proposed amendments to the
29 Palm Beach County Board of County Commissioners pursuant to Chapter
30 163, Part II, Florida Statutes; and

31 **WHEREAS**, the Palm Beach County Board of County Commissioners, as
32 the governing body of Palm Beach County, conducted a public hearing
33 pursuant to Chapter 163, Part II, Florida Statutes, on April 8, 2002
34 to review the recommendations of the Local Planning Agency, whereupon
35 the Board of County Commissioners authorized transmittal of proposed
36 amendments to the Department of Community Affairs for review and
37 comment pursuant to Chapter 163, Part II, Florida Statutes; and

38 **WHEREAS**, Palm Beach County received on July 1, 2002 the
39 Department of Community Affairs "Objections, Recommendations, and
40 Comments Report," dated June 28, 2002 which was the Department's
41 written review of the proposed Comprehensive Plan amendments; and

42 **WHEREAS**, on August 28, 2002 the Palm Beach County Board of County
43 Commissioners held a public hearing to review the written comments

1 submitted by the Department of Community Affairs and to consider
2 adoption of the amendments; and

3 **WHEREAS**, the Palm Beach County Board of County Commissioners has
4 determined that the amendments as modified satisfy the concerns
5 addressed in the Department of Community Affairs' "Objections,
6 Recommendations and Comments Report" and comply with all requirements
7 of the Local Government Comprehensive Planning and Land Development
8 Regulations Act.

9 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
10 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

11 Part I. Amendments to the 1989 Comprehensive Plan

12 Amendments to the text of the following Element of the 1989
13 Comprehensive Plan are hereby adopted and attached to this Ordinance
14 in Exhibit 1:

- 15 A. Map Series, Thoroughfare Right-of-Way Identification Map
16 and 2020 Roadway System by Number of Lanes Map, to modify
17 segments of Roosevelt Avenue;
- 18 B. Map Series, Thoroughfare Right-of-Way Identification Map,
19 to modify segments of US Highway 98;
- 20 C. Amending all elements as necessary for internal
21 consistency.

22 Part II. Repeal of Laws in Conflict

23 All local laws and ordinances applying to the unincorporated area
24 of Palm Beach County in conflict with any provision of this ordinance
25 are hereby repealed to the extent of such conflict.

26 Part III. Severability

27 If any section, paragraph, sentence, clause, phrase, or word of
28 this Ordinance is for any reason held by the Court to be
29 unconstitutional, inoperative or void, such holding shall not affect
30 the remainder of this Ordinance.

31 Part IV. Inclusion in the 1989 Comprehensive Plan

32 The provision of this Ordinance shall become and be made a part
33 of the 1989 Palm Beach County Comprehensive Plan. The Sections of the
34 Ordinance may be renumbered or relettered to accomplish such, and the
35 word "ordinance" may be changed to "section," "article," or any other
36 appropriate word.

1 **Part V. Effective Date**

2 The effective date of this plan amendment shall be the date a
3 final order is issued by the Department of Community Affairs or
4 Administration Commission finding the amendment in compliance in
5 accordance with Section 163.3184, Florida Statutes, whichever occurs
6 earlier. No development orders, development permits, or land uses
7 dependent on this amendment may be issued or commence before it has
8 become effective. If a final order of noncompliance is issued by the
9 Administration Commission, this amendment may nevertheless be made
10 effective by adoption of a resolution affirming its effective status,
11 a copy of which resolutions shall be sent to the Department of
12 Community Affairs, Bureau of Local Planning, 2555 Shumard Oak
13 Boulevard, Tallahassee, Florida 32399-2100.

14 **APPROVED AND ADOPTED** by the Board of County Commissioners of
15 Palm Beach County, on the 28 day of August, 2002.

16 ATTEST:

17 DOROTHY H. WILKEN, Clerk

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

18 Deputy Clerk

By

Warren H. Newell, Chairman

19 APPROVED AS TO FORM AND LEGAL SUFFICIENCY

20 Deputy Clerk

Warren H. Newell

21 COUNTY ATTORNEY

22 Approved

23 Deputy Clerk

24 COUNTY ATTORNEY

25 Approved

26 Deputy Clerk

27 COUNTY ATTORNEY

28 Approved

29 Deputy Clerk

30 COUNTY ATTORNEY

31 Approved

32 Deputy Clerk

33 COUNTY ATTORNEY

Filed with the Department of State on the 3 day

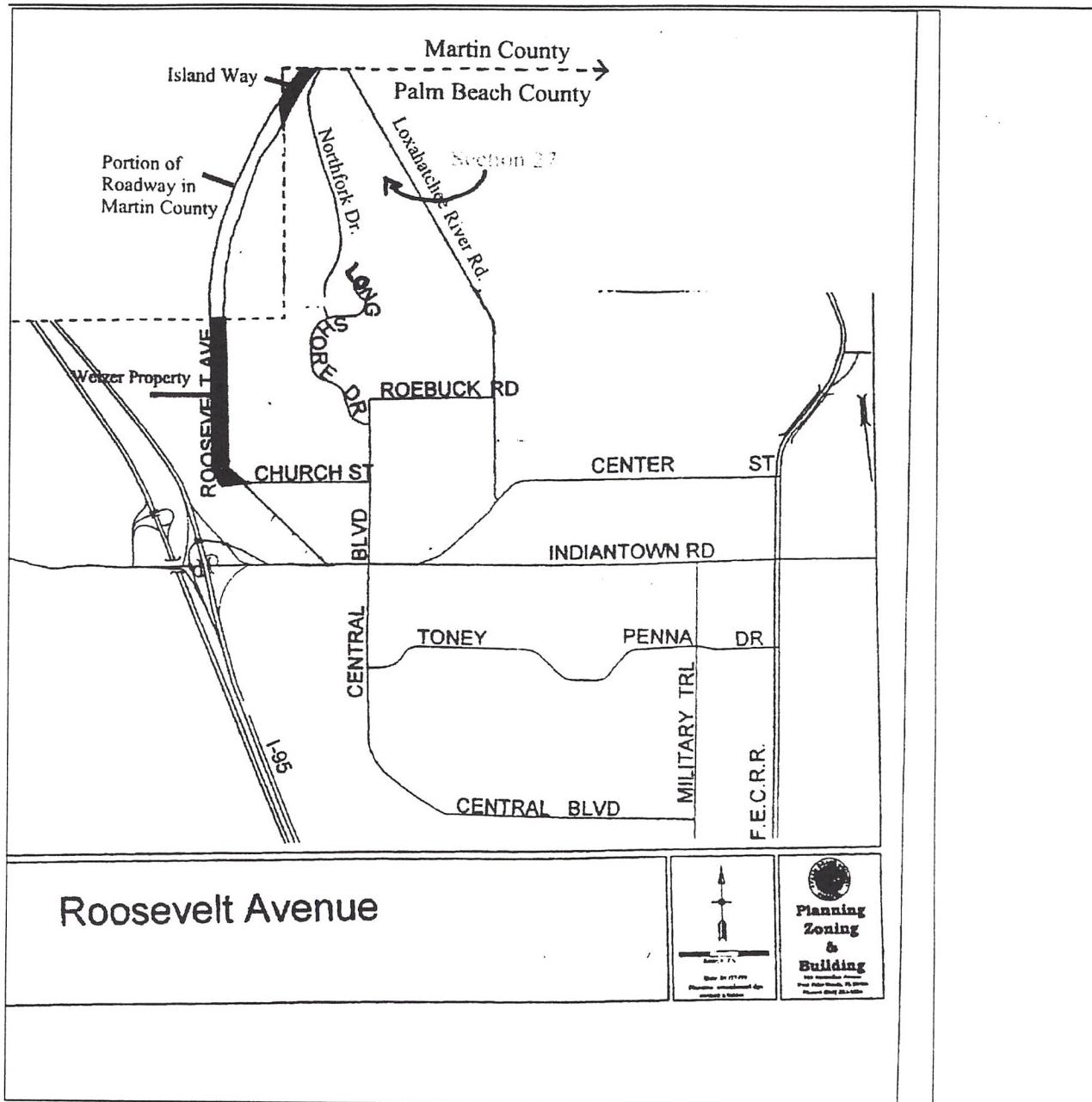
of September, 2002.

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EXHIBIT 1

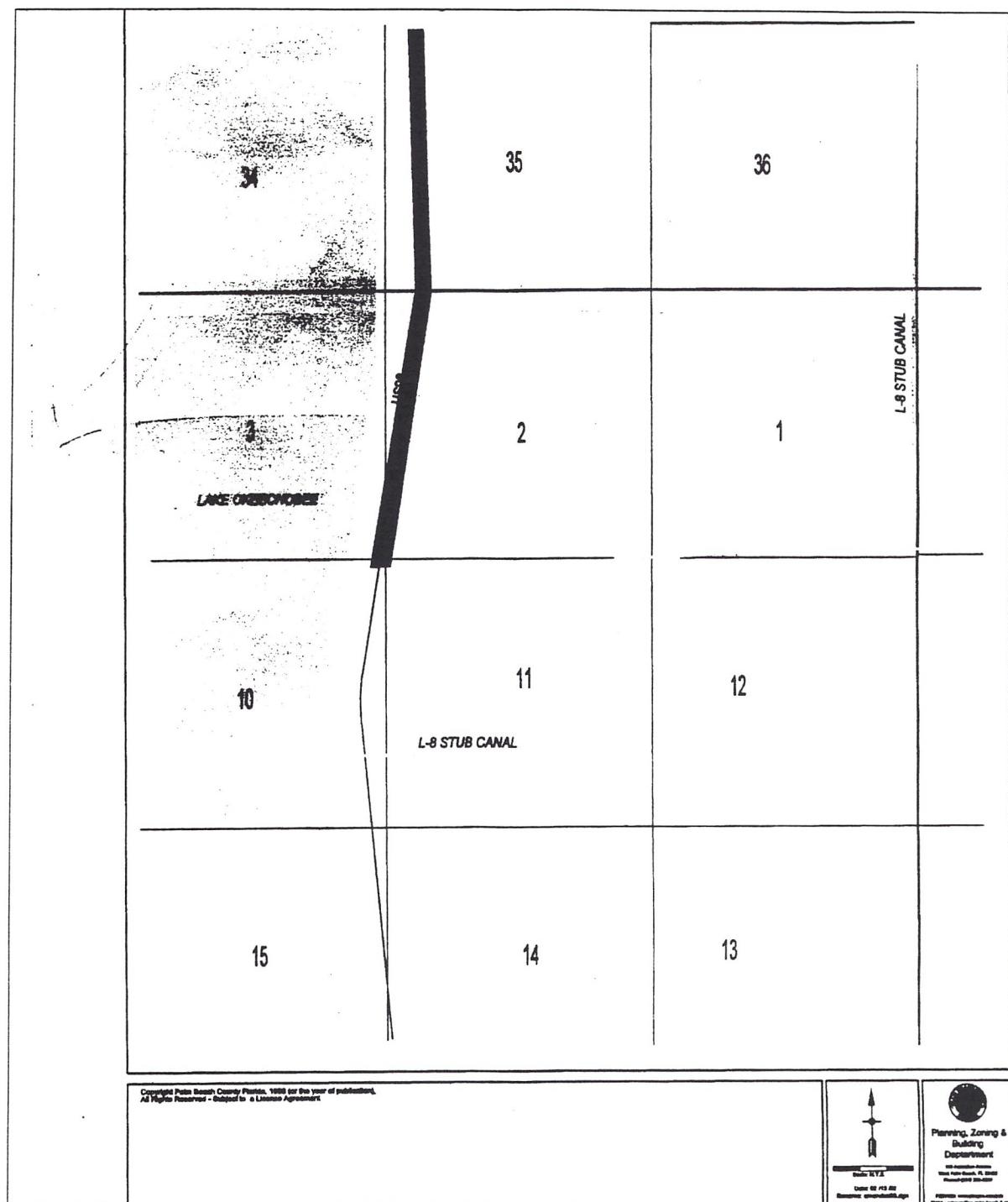
A. Thoroughfare Right-of-Way Identification Map and 2020 Roadway System by Number of Lanes Map, to revise with regards to Roosevelt Avenue.

REVISIONS: Change the Roosevelt Avenue (aka Western Corridor) segment between Church Street and the Martin County line from a 60' right-of-way (ROW) to a 100' ROW on the TIM, and labeling the transition point from 4 lanes to 2 lanes on the 2020 Map, as the future entrance to the Weizer property. Also, add a segment of Roosevelt Avenue (aka Island Way) as a 60' ROW in the northwest corner of Section 27, Township 40, Range 42 on the TIM and 2020 Map.



B. Thoroughfare Right-of-Way Identification Map, to revise with regards to US 98 in Canal Point.

REVISIONS: Change the US 98 (SR 700) segment from the north end of Section 11, Township 41, Range 37(East) to the northern terminus of Section 35, Township 41, Range 37(East) from a 220' right-of-way (ROW) to a 124' ROW on the TIM.



STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on August 28, 2002
DATED at West Palm Beach, FL on 11/10/12
DOROTHY H. WILKEN, Clerk
By: Wiane Brouse
D.C.